

### **REMARKS**

**Claims in the Application.** Claims 5-6, 10, 11, 13, 16-17 and 20 have been cancelled from this application. Claims 22-39 have been added to this application. Claims 1, 3, 7-9, 12, 14, 15, 18 and 19 have been amended. Accordingly, Claims 1-4, 7-9, 12, 14-15, 18-19 and 21-39 are active in this application. Reconsideration is respectfully requested.

**The Examiner's Rejection Over *Korzilius*.** The Examiner has rejected Claims 1-10, 12-16 and 18-21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,239,081 ("*Korzilius*"). This ground for rejection is traversed.

Claims 1 and 12 of Applicant have been amended to recite the amount of cellulosic polymer in the suspension to be between from about 10 to about 23 weight percent. The amount of cellulosic polymer employed by *Korzilius* is less than 10 weight percent. *Note*, for instance, the amount of cellulosic polymer employed in the Examples of *Korzilius*. Further, *Korzilius* discloses a drilling fluid containing, in addition to an alkali formate, clays for modifying the viscosity of the fluid (col. 2, ll. 27-30). Claim 7 of Applicant has been amended to read on "consisting essentially of" terminology.

The method claims of Applicant have further amended to more clearly recite the addition of the cellulosic suspension of the invention to a brine to be thickened. As set forth in the bridging paragraph of columns 4 and 5 of Applicant' originally filed specification, the alkali formate solution serves as the carrier liquid for the delivery of the cellulosic polymer to the brine to be treated. *Korzilius* does not disclose the claimed method of Applicant.

**The Examiner's Rejection Over *Vollmer*.** The Examiner has further rejected Claims 1-2, 4-6, 12-15, 18 and 20 under 35 U.S.C. § 102(b) as being anticipated by Vollmer et al., *HEC Precipitation Solutions*, Hart's E&P, Jan. 2000, pp. 98-100 ("*Vollmer*"). This ground for rejection is also traversed.

Like *Korzilius*, *Vollmer* does not disclose the use of the claimed cellulosic suspensions containing an alkali formate brine to thicken a high density brine. Neither does *Vollmer* disclose the claimed cellulosic suspensions of Applicant. Reconsideration is therefore requested.

**The Examiner's Rejection Over *Clarke-Sturman*.** The Examiner has further rejected Claims 1-10, 12-16 and 18-21 under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 4,900,457 ("*Clarke-Sturman*"). This ground for rejection is also traversed.

*Clarke-Sturman* discloses a polysaccharide-containing drilling composition having improved thermal stability by the incorporation of a formate salt. *Clarke-Sturman* does not disclose the use of such compositions to thicken brines. Neither does *Clarke-Sturman* disclose a cellulosic suspension, much less the claimed cellulosic suspension of Applicant.

**The Examiner's Rejection Over *Clarke-Sturman* in View of *Nimerick*.** The Examiner has further rejected Claims 7, 11-12 and 17 under 35 U.S.C. § 103(a) as being unpatentable over *Clarke-Sturman* in view of U.S. Patent No. 4,042,529 ("*Nimerick*"). This ground for rejection is also traversed.

*Clarke-Sturman* is deficient for the reasons stated *supra*. *Nimerick* merely discloses the use of glyoxal as a crosslinker for polysaccharides. Like *Clarke-Sturman*, *Nimerick* does not disclose a cellulosic suspension. The Examiner concludes that since "the context of *Nimerick* is oil field applications" it would be obvious to combine the teachings of *Clarke-Sturman* with *Nimerick*. The Examiner's rationale is not understood. *Clarke-Sturman* is directed to drilling fluids. Drilling fluids are not typically crosslinked. Why therefore would it have been obvious to combine the teachings? In any event, *Nimerick* does not cure the deficiencies of *Clarke-Sturman*, discussed *supra*.

**The Examiner's Rejection Over *Chesser*.** The Examiner has also rejected Claims 1-2, 4, 6-8, 12-14 and 18-21 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,933,262 ("*Chesser*"). This ground for rejection is also traversed.

*Chesser* does not render obvious the claimed invention of Applicant. *Chesser* discloses the addition of a "precursor polymer dispersion of [a] water-soluble polymers in a precursor brine" to a "final brine". (Col. 2, ll. 28-33.) Suitable as the "precursor brine" are those containing any of the cations and anions set forth in col. 2, ll. 48-60. *Chesser* does not recognize the improved results obtained with alkali formates, much less potassium and cesium formate. In Table IV of page 9 of Applicant's originally filed specification, the importance of using the claimed alkali formates is illustrated. The claimed formates of Applicant are not exemplified by *Chesser*. Neither does *Chesser* disclose the claimed method of Applicant, i.e., *Chesser* does not disclose a process of thickening a brine during recovery of oil and/or gas from a subterranean formation. Reconsideration of the rejection is therefore requested.

**The Examiner's Double Patenting Rejection.** The Examiner has further provisionally rejected Claims 7-12, 14-17 and 19-20 under the judicially created doctrine of obviousness-type double

patenting as being unpatentable over Claims 3-6 and 13 of copending Application No. 10/911,038.

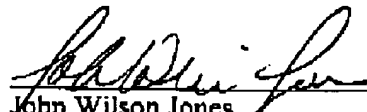
Applicant will consider the filing of a Terminal Disclaimer upon indication of allowable subject matter in this application.

**Examiner's Rejection Under 35 U.S.C. § 112.** The Examiner has further rejected Claims 7-11 and 15-21 under the second paragraph of 35 U.S.C. § 112 as being indefinite. It is believed that the amendment to the claims obviates the need for further discussion of this rejection.

**Conclusion.** In view of the foregoing amendment and remarks it is respectfully submitted that this application is in condition for allowance. Early notice to that effect is earnestly solicited.

Respectfully submitted,

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**CERTIFICATE OF TRANSMISSION, 37 C.F.R. § 1.6(d)**

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 via facsimile, (703) 872-9306 on this 3<sup>rd</sup> day of January 2006.

  
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